REMARKS

Applicant's attorney thanks the Examiner for meeting on January 13, 2005 to discuss the office action. Applicant canceled Claims 1-5 and 8-11, amended Claim 6 and added Claims 12-15 which recite the limitations found in original Claims 2-5. No new matter has been added.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejected Claims 3-5 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3-5 have been cancelled, rendering this rejection moot.

Claim Rejections – 35 U.S.C. § 101 & Double Patenting

The Examiner rejected Claims 10 & 11 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 10 & 11 have been cancelled, rendering this rejection moot.

The Examiner rejected Claims 6-9 under 35 U.S.C. § 101 as claiming the same invention as that of claims 1 and 2 of prior U.S. Patent No. 6,693,147. As discussed the functional group comprising the polymerizable group of the present application differs from that of U.S. Patent No. 6,693,147.

The Examiner rejected Claims 1-5, 10 & 11 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of prior U.S. Patent No. 6,693,147. Claims 1-5, 10 & 11 have been cancelled, rendering this rejection moot.

The Examiner rejected Claims 1-11 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,743,875 in view of Idogawa et al (US 5965634). Claims 1-5, 10 & 11 have been cancelled, and as discussed, the functional group comprising the polymerizable group of the present application differs from that of U.S. Patent No. 6,743,875.

Claim Rejections – 35 U.S.C. § 102 and 103

The Examiner rejected Claims 1-11 under 35 U.S.C. § 102(a) for anticipation, or alternatively, under 35 U.S.C. § 103(a) for obviousness over JP 11-012512 (Machine Translation). In view of this amendment and the reasons discussed in the January 13th meeting, as set forth in the Interview Summary, Applicant believes it has overcome the art rejection of record.

The Examiner rejected Claims 1-11 under 35 U.S.C. § 102(e) for anticipation, or alternatively, under 35 U.S.C. § 103(a) for obviousness over Idogawa et al (U.S. 5,965,634). In view of this amendment and the reasons discussed in the January 13th meeting, as set forth in the Interview Summary, Applicant believes it has overcome the art rejection of record.

The Examiner rejected Claims 1-11 under 35 U.S.C. § 102(e) for anticipation, or alternatively, under 35 U.S.C. § 103(a) for obviousness over Phan et al (U.S. 5,969,032). In view of this amendment and the reasons discussed in the January 13th meeting, as set forth in the Interview Summary, Applicant believes it has overcome the art rejection of record.

Applicant maintains that such claims are patentable in view of the amendments and arguments presented. Applicant's invention would not have been obvious to one skilled in the art based on the reference cited. Applicant's attorney thanks the Examiner for the time taken to review this response. In view of the foregoing remarks, Applicant respectfully requests reconsideration of the rejection and allowance of the claims. The Examiner is encouraged to contact the attorney listed below if there are any questions or comments.

Respectfully submitted,

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